

Amendment and Response

Applicant: Heinz Mattes et al.

Serial No.: 10/566,461

Filed: September 18, 2006

Docket No.: I431.147.101/FIN501PCT/US

Title: DEVICE AND METHOD FOR TESTING INTEGRATED CIRCUITS

REMARKS

The following remarks are made in response to the Non-Final Office Action mailed September 26, 2007. With this Response, claims 21, 24, 26, 27, 31-33, 36 and 42 have been amended, claims 23, 25, 35, 37-41 and 44 have been canceled and claims 45-47 have been added. Claims 21, 22, 24, 26-34, 36, 42, 43 and 45-47 remain pending in the application and are presented for reconsideration and allowance.

Claim Objections

Claims 33 and 34 were objected to for informal errors. Claim 33 has been amended to correct a word processing error. Claim 34 depends from claim 33. The objections to claims 33 and 34 are thus overcome.

Claim Rejections under 35 U.S.C. § 101

Claims 35-40 were rejected as allegedly being directed to non-statutory subject matter. Claim 36 has been amended along the lines suggested in the Office Action to recite a storage medium containing an executable computer program, rather than the computer program *per se*. Claims 35 and 37-40 have been canceled.

Thus, Applicants believe the rejections under section 101 have been overcome.

Claim Rejections under 35 U.S.C. § 103

Claims 21, 25, 28-30 and 44 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Folkesson et al. (IEEE Article, “Modeling of Dynamic Errors in Algorithmic A/D converters”) in view of Fan et al. (U.S. Patent 6,703,885). Claim 44 has been canceled. Without going into the merits of the rejections based on prior art, the remaining claims rejected under section 103 have been amended in accordance with the allowable subject matter addressed below in an effort to move the application to allowance.

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Allowable Subject Matter

The Examiner objected to claims 23, 24, 26, 27, 31, 42 and 43 for being dependent upon a rejected base claim, but noted these claims would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner's acknowledgement of the allowable subject matter is appreciated.

Claim 21 has been amended to incorporate the subject matter of claim 23, effectively placing claim 23 in independent form. Claim 26 has been placed in independent form, including the subject matter of original claims 21 and 25. Claim 25 has accordingly been canceled. Claim 27 has been placed in independent form, including the subject matter of original claim 21. Claim 31 has been amended to incorporate the subject matter of original claim 21. Claim 42 has been placed in independent form, incorporating the subject matter of original claim 41, which has been canceled. Claim 43 depends from claim 42 so is in condition for allowance for at least the same reasons.

New Claims

New claims 45-47 have been added herein. No new matter has been introduced.

Applicants believe new independent claim 45 is patentable over the cited prior art documents. Neither the Folkesson nor Fan references deal with the parallel test of a plurality of inputs. The test device according to the new claim provides a possibility to test the inputs by just one precision signal generator. This is provided by the fact that the precision signal generator can be turned off if the test signal exceeds or falls below the reference signal. Claims 46 and 47 depend from claim 45 and are allowable for at least the same reasons.

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CONCLUSION

In view of the above, Applicant respectfully submits that all of the pending claims are in form for allowance. Therefore, reconsideration and withdrawal of the rejections and allowance of the claims are respectfully requested.

Applicants hereby authorize the Commissioner for Patents to charge Deposit Account No. 50-0471 in the amount of \$600.00 to cover the fees as set forth under 37 C.F.R. 1.16(h)(i).

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to Mark Gleason at Telephone No. (612) 767-2503, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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